

REMARKS

In the Office Action mailed September 9, 2003, claims 1, 2, 10, 11, 13-15, and 18-22 were rejected under 35 U.S.C. § 102(b) as being anticipated by Oilschlager et al. (U.S. Patent No. 5,267,983).

Claims 1, 2, 10, 11, 13-15, and 18-22 were rejected under 35 U.S.C. § 102(b) as being anticipated by Parks, et al. (U.S. Patent No. 5,399,173).

Claims 3-9, 12, 16, 17, and 23 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Oilschlager et al.

Applicants respectfully submit that claim 1 defines over Oilschlager et al. Respectfully, Oilschlager et al. does not disclose an enteral feeding adapter that has an adapter body made of a flexible material. Claim 1 as amended herein calls for an enteral feeding adapter that has an adapter body made of a flexible material. Support for this amendment may be found on at least page 10, lines 10-12; and on page 11, lines 9-11 of Applicant's application. The adapter body could be made, for instance, of flexible PVC, silicon, polyurethane, or other suitable flexible material.

Oilschlager et al. does not disclose the primary access port 18 or the luer port 54 being made of a flexible material. Additionally, Oilschlager et al. teaches away from using a flexible material for the adapter body. Oilschlager et al. specifically teaches a luer port 54 that is too rigid to open up when a larger section 12b of the adapter 12 is attempted to be inserted (see Oilschlager et al. at column 4, lines 15-17). In fact, the entire point of Oilschlager et al. is to provide for an adapter that cannot be inadvertently

inserted into the wrong port, for instance a standard size IV luer connector (see Oilschlager et al. at column 1, lines 54-63).

In order to prevent inadvertent connections, Oilschlager et al. provides for a plurality of differently sized cylindrical sections 12a, 12b, 12c, 12d, and 12e that are sized in order to mate with corresponding recesses in either an access port 18 or a luer port 54. As explicitly stated in Oilschlager et al., the ports 18, 54 are rigid in order to prevent them from being opened up when an incorrect adapter 12 is attempted to be inserted (see Oilschlager et al. at column 4, lines 15-17). Therefore, Oilschlager et al. explicitly teaches away from an enteral feeding adapter that has an adapter body made of a flexible PVC, as set forth in claim 1 of Applicant's application. As such, Applicant respectfully submits that claim 1 defines over Oilschlager et al..

As stated, claim 1 was also rejected under 35 U.S.C. § 102(b) as being anticipated by Parks, et al. Respectfully, Parks, et al. does not disclose an enteral feeding adapter that has an adapter body made of a flexible material. Parks, et al. discloses a ferrule 70 that is made from a hard substantially nondeformable material such as plastic, metal, glass, or polyvinylchloride (see Parks, et al. at column 4, lines 24-27), so that unwanted stretching of the ferrule 70 will not occur (see Parks, et al. at column 7, lines 65-67). Parks, et al. teaches that the ferrule 70 should be made of a hard substantially nondeformable material.

As such, Applicant respectfully submits that claim 1 defines over both Oilschlager et al. and Parks, et al. and is in condition for allowance. Further, all claims which depend from claim 1 (claims 2-17) are also in condition for allowance. Their rejections being made moot due to the allowance of claim 1.

In the present amendment, Applicant has amended claim 18 in order to call for an enteral feeding adapter that has an adapter body made of a flexible material. This amendment is similar to the one made above with respect to claim 1, and Applicant respectfully submits that claim 18 defines over both Oilschlager et al. and Parks, et al. for essentially the same reasons as discussed above with respect to claim 1, and is in condition for allowance. Further, all claims which depend from claim 18 (claims 19-23) are also in condition for allowance. Their rejections being made moot due to the allowance of claim 18.

With the present amendment, Applicant submits that all pending claims are allowable and that the application is in condition for allowance. Favorable action thereon is respectfully requested. The Examiner is encouraged to contact the undersigned at the Examiner's convenience to resolve any remaining issues.

Respectfully submitted,

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